IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.36860 of 2008
NATHUNI TANTI @ NATHUNI DAS
Versus
STATE OF BIHAR
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2. 30.9.2008 Heard.

Allegation against the petitioner is that he dealt a farsa blow on the head of the deceased, who happens to be the husband of the informant. The deceased appears succumbing to his injury two days after the incident. The doctor holding the post mortem examination, who appears to be an Assistant Professor of Forensic Medicine, had found a stitched wound as per description in the Annexure-2/1 which is the photo copy of the post mortem examination report and that appears to be the cause of death.

It is true that the doctor had opined that the injury could be the result of hard and blunt substance but that opinion could never overrule the possibility of a sharp cutting weapon like farsa may also cause that injury inasmuch as the wound was stitched and as soon as it was stitched, on account of healing process the sharp cutting edges must have taken an irregular shape which could have misled the doctor.

The petition is dismissed.

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(Dharnidhar Jha,J)

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